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SERIAL NO.
10/649,192

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Mohammed N. Islam et al.
U.S. Patent Serial No.: 10/649,192
Filing Date: August 27, 2003
Examiner: John Juba, Jr.
Group No.: 2872
Notice of Allowance Mailed: August 13, 2004
Confirmation No.: 5256
Title: VARIABLE BLAZED GRATING

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**REQUEST FOR CONSIDERATION OF AN INFORMATION
DISCLOSURE STATEMENT SUBMITTED BEFORE
MAILING OF THE NOTICE OF ALLOWANCE**

For reasons set forth below, it is respectfully requested that the PTO file for this application be promptly forwarded to Examiner John Juba, Jr., for confirmation that the reference listed on PTO-1449 attached to the Information Disclosure Statement filed February 13, 2004 has been considered.

On February 13, 2004, Applicants filed an Information Disclosure Statement (IDS) with PTO-1449 form (two (2) pages) attached, listing the reference submitted for consideration. This IDS was received at the U.S. Patent and Trademark Office on February

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SERIAL NO.
10/649,192

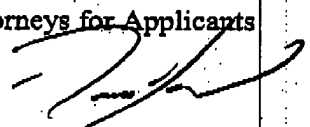
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13, 2004 as shown on the returned, date-stamped postcard, copy of which is attached. For the convenience of the Examiner, a copy of the Information Disclosure Statement filed February 13, 2004 is enclosed.

The Notice of Allowability for this application was mailed on August 13, 2004. However, Examiner Juba has not returned a copy of the PTO-1449 form indicating consideration of the reference cited in the Information Disclosure Statement filed February 13, 2004.

Accordingly, Applicants hereby request confirmation of consideration of the previously filed Information Disclosure Statement. Examiner Juba is requested to initial the reference listed on the PTO-1449 form to show that it was appropriately considered during examination of this Application. The Commissioner is hereby authorized to credit any overpayment, or to charge any additional fee required by this paper, to Deposit Account No. 02-0384 of Baker Botts L.L.P.

BAKER BOTTS L.L.P.
Attorneys for Applicants


Douglas M. Kuehl
Reg. No. 41,915

2001 Ross Avenue, Suite 600
Dallas, Texas 75201-2980
(214) 953-6486

Enclosures: Copy of Information Disclosure Statement filed February 13, 2004
with Form PTO-1449;
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Name of Inventor(s): Mohammed H. Sultan et al.

Title of Invention: Variable Delay Modem

Client or Applicant: Chattahoochee

BB File No.: 020036-0127


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PATENT APPLICATION
10/649,192

1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Mohammed N. Islam, et al.
Application Serial No.: 10/649,192
Date Filed: August 27, 2003
Title: VARIABLE BLAZED GRATING

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

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Willie Jiles
Willie Jiles

INFORMATION DISCLOSURE STATEMENT

Applicants respectfully request, pursuant to 37 C.F.R. §§1.56, 1.97, and 1.98, that the documents listed on the attached PTO-1449 form be considered and cited in the examination of the above-identified application. Furthermore, pursuant to 37 C.F.R. §§1.97(g) and (h), Applicants make no representation that these documents qualify as prior art or that these documents are material to patentability of the present application or that a search has been made.

Since the above-identified patent application was filed after June 30, 2003, a copy of any U.S. Patent and any U.S. Patent Application Publication cited on the attached PTO Form 1449 is not being submitted with this Information Disclosure Statement pursuant to the July 11, 2003 waiver of 37 C.F.R. S 1.98(a)(2)(i) by the U.S. Patent and Trademark Office.

This Information Disclosure Statement is being submitted pursuant to 37 C.F.R. § 1.97(b)(3). Although Applicants believe no fee is due, the Commissioner is hereby authorized to charge any fee to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,
Baker Botts L.L.P.

Douglas M. Kubehl
Douglas M. Kubehl
Attorney for Applicants
Reg. No. 41,915

Correspondence Address:
Baker Botts L.L.P.
2001 Ross Avenue, Suite 600
Dallas, Texas 75201-2980
(214) 953-6680

Date: 10-12-04

PTO-1449

**Information Disclosure Citation
in an Application**

Application No.

10/649,192

Docket Number

074036.0127

Applicant(s)

Mohammed N. Islam et al.

Group Art Unit

Filing Date

August 27, 2003

U.S. PATENT DOCUMENTS

	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
A	US 2002/0079432 A1	06/27/2002	Lee et al.	250	216	08/07/2001
B						
C						
D						
E						
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FOREIGN PATENT DOCUMENTS

	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
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EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

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